

REMARKS

This Response replaces the Response filed March 8, 2004, in view of the May 18, 2004 Office Action assertion that the March 8 Response is non-responsive.

Claims 35-66 are pending in this application. By this Amendment, claims 1-34 are cancelled and claims 35-66 are added.

The courtesies extended to Applicant's representative by Examiners Capron and Harrison at the interview held March 2 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute the record of the interview.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-7, 10-24 and 27-34 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,704,837 to Iwasaki et al., and claims 8-9 and 25-27 are rejected under 35 U.S.C. §103(a) as unpatentable over Iwasaki. These rejections will be addressed as if applied to new claims 35-66. These rejections are respectfully traversed.

Claim 35 corresponds generally to the subject matter of former claims 1 and 5, but is a method claim; claim 39 corresponds generally to the subject matter of former claims 1 and 6, but is a method claim; claim 43 corresponds generally to the subject matter of former claims 1 and 8, but is a method claim; claim 47 corresponds generally to the subject matter of claims 1 and 14, but is a method claim; claim 51 corresponds generally to the subject matter of claims 18 and 21; claim 55 corresponds generally to the subject matter of claims 18 and 23; claim 59 corresponds generally to the subject matter of claims 18 and 25; and claim 63 corresponds generally to the subject matter of claims 18 and 31.

The applied art does not teach, disclose or suggest determining whether or not an intervening object intervenes between a first computer object controlled by a computer and a player's object controlled by a player or viewpoint (supported at, for example, page 2, lines

11-14); controlling an action of the first computer object according to the determination (supported at, for example, page 2, lines 14-15); and generating an image containing the image of the first computer object (supported at, for example, page 2, lines 16-17), as claimed in claim 35, and similarly claimed in claims 39, 43, 47, 51, 55, 59, and 63.

For example, Iwasaki does not disclose determining whether or not an intervening object (obstacle 82) is present between the player's object (tank 500A) and the computer object (enemy's tank 500B) (Fig. 10). Moreover, the computer object is not controlled by a computer according to the determination. Instead, Iwasaki merely discloses that the computer object 500B rotates about its own rotational axis to aim and counterattack the player's object 500A (col. 12, lines 23-26; Fig. 11). There is no disclosure that the computer object 500B is controlled by the computer based on the determination of whether or not an object 82 intervenes between the player's object 500A and the computer's object 500B.

Iwasaki is directed to improving the motion of a movable game object, such as causing translation, rotation and curvilinear motion of the object. A player is allowed to use first and second steering levers 12, 14 to input first and second propulsion vectors to the movable game object. The steering levers 12 and 14 can be operated in combination to control the player's tank 500 so that it will move forward or backward, turn along a curved line, rotate about its own rotational axis and translate in all directions (col. 12, lines 1-5; Fig. 10, 11). As such, the object of Iwasaki is to provide a unique motion to the player's tank (Fig. 10). For example, Iwasaki discloses that if the enemy's tank 500B lies behind obstacle 82, the player can take a hit-and-away strategy that he or she operates the trigger buttons 22 and 24 to attack the enemy and to make a quick escape while sliding the player's tank 500A in the lateral direction; and that the enemy's tank 500B may rotate about its own axis to aim and counterattack the escaping player's tank (col. 12, lines 13-26; Fig. 11).

Thus, as discussed above, Iwasaki does not disclose the features of the claimed invention. Iwasaki merely discloses that the player can take a hit-and-away strategy. Thus, the player determines whether the player's object should move around obstacles set forth in the game. There is no disclosure in Iwasaki that the computer can make this determination.

Moreover, Applicant respectfully directs the Examiner's attention to the distinctions between embodiments of the invention and Iwasaki found in the specification at page 17, line 11 to page 30, line 3.

For example, embodiments pertaining to at least claims 35 and 51 are discussed in the specification on page 24, line 17 to page 25, line 9. Specifically, in order to avoid the problem of a player being hit by a shot from an enemy character C1 penetrating through an obstruction OB or other enemy character C2, embodiments of the invention first determine whether or not an obstruction (or intervening object) intervenes between an enemy character and a player's viewpoint or player's character. More particularly, a line between the enemy character C1 and the viewpoint VP or player's character P is generated by emitting a light ray from the enemy character C1 toward the viewpoint VP. After the line is generated, it is determined whether or not an obstruction OB exists on that line. According to the determination, the action of the enemy character is controlled such that the attack (or action) of the enemy character is not applied to the player.

Similarly, embodiments pertaining to claims 39 and 55 are discussed, at least, on page 24, line 25 to page 25, line 18; embodiments pertaining to claims 43 and 59 are discussed, at least, on page 28, line 2 to page 29, line 6; and embodiments pertaining to claims 47 and 63 are discussed, at least, on page 30, line 5 to page 32, line 15. Furthermore, other embodiments of the invention discussed in the specification have additional advantages over Iwasaki.

Thus, none of the applied art disclose all of the features of the present invention. As such, for at least the reasons discussed above, it is respectfully submitted that claims 35, 39, 43, 47, 51, 55, 59 and 63 are distinguishable over the applied art. Furthermore, those claims which depend from claims 35, 39, 43, 47, 51, 55, 59 and 63 are likewise distinguishable over the applied art for at least the reasons discussed above as well as for additional features they recite.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Amended Abstract

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